

FILED IN OPEN COURT

ON

Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America)

v.)

TOBIAS DEMAR MAYO)

Case No.

4:18-mj-1033

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 15, 2018 in the county of Pitt in the
Eastern District of North Carolina, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(g)(1)

Felon in Possession of a Firearm and Ammunition

18 U.S.C. § 924(a)(2)

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.
Complainant's signature

M.T. McKnight, FBI, Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date:

6/19/18

City and state: Greenville, NC
Judge's signature

KIMBERLY A. SWANK, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
GREENVILLE, NORTH CAROLINA

I, M.T. McKnight, being duly sworn, depose and state that:

1. Affiant, M.T. McKnight, is a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI) assigned to the Charlotte, North Carolina (NC) Field Office with duty in the Greenville Resident Agency. I have been a Task Force Officer with the FBI for over two years and a police officer and detective with the Greenville, NC Police Department (GPD) for almost nine years. I have sworn authority through the FBI to investigate and enforce violations of Title 21, United States Code, as well as deputized authority through the United States Marshal's Service, to enforce Title 18 offenses. I have worked a variety of federal and state criminal investigations, including, but not limited to violent crime, drug trafficking, kidnapping and financial crimes.
2. I am familiar with the facts and circumstances set forth in this affidavit. The information in this affidavit is derived from my personal observations, discussions with other law enforcement officers who have personal knowledge of the matter and events described herein. Since the affidavit is being submitted for the limited purpose of establishing probable cause to support the issuance of an arrest warrant, I have not included each and every fact known to me concerning this investigation, and have set forth only those facts I believe are necessary for said purpose.

DETAILS OF THE INVESTIGATION

1. On or about June 13, 2018, in Pitt County, North Carolina in the Eastern District of North Carolina, I spoke with Greenville Police Department Officer Brian Gillen concerning information he learned from a confidential human source (CHS) about the activities of TOBIAS DEMAR MAYO. The CHS whose identity is known to the affiant. The CHS provided information known to be accurate and reliable regarding MAYO's unlawful possession of a firearm and narcotics.
2. The CHS has direct knowledge of MAYO directing females he was accompanying to hold firearms and narcotics when stopped by police due to MAYO being a convicted felon.

3. The CHS advised that MAYO was not allowed to drive a black sports car with a racing stripe owned by his wife, later identified as CHRISTINA ROUSE, due to him being out in the streets associating with people conducting drug sales and prostitution. This information was later confirmed to be accurate when MAYO was observed by Greenville Police officers riding in the front passenger seat of the car, traveling towards a location known for drug and prostitution activity on Sylvan Drive.
4. On or about June 15, 2018, Greenville Police Department Officers observed a black Dodge Challenger sports car with a red racing stripe bearing NC license 30 day plate 23961224. A male subject matching the description of MAYO was observed to be sitting inside the front passenger seat of the vehicle after leaving the known address of MAYO, 104-C Concord Drive, Greenville, NC.
5. Officers followed the Challenger on Hooker Road, crossing over Arlington Boulevard heading towards Sylvan Drive. GPD Sergeant Phil Rollinson observed the driver commit a violation of the North Carolina General Statutes, Chapter 20, regarding motor vehicle law.
6. Upon stopping the vehicle on Sylvan Drive, officers made contact with both the driver, CHRISTINA ROUSE and passenger, whose identity was confirmed to be TOBIAS MAYO.
7. MAYO was asked to step out of the vehicle based on information that he was known to be armed with a metal, either chrome or nickel, handgun with wood on the handle, possibly a .380 caliber gun.
8. MAYO specifically noted he did not want officers searching a purple Crown Royal bag on the floor of the front passenger seat because he had personal items in the bag.
9. ROUSE was asked for consent to search the vehicle. ROUSE gave consent to search the vehicle and stated that she did not have any knowledge of weapons or illegal items inside the vehicle.
10. Upon looking inside the vehicle, a GPD officer observed the handle of a revolver sticking out of the Crown Royal bag that MAYO stated he did not want searched because he had personal items inside.

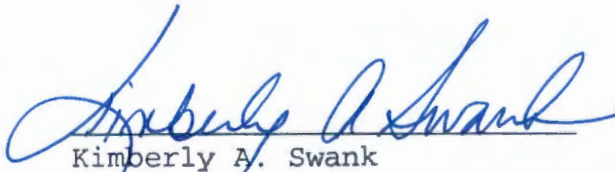
11. MAYO was known to be a convicted felon, having served time in the North Carolina Department of Public Safety for being a Habitual Felon, an offense that required MAYO serve more than one year and one day in the NCDPS prisons system.
12. In addition to being convicted of being a Habitual Felon, MAYO also was convicted of the offenses of Possess with Intent to Sell a Schedule I controlled substance, Assault with a Deadly Weapon with Intent to Kill, Selling a Schedule II controlled substance, and an additional count of Possess with Intent to Sell a Schedule I controlled substance in Pitt County, NC Superior Court on April 3, 2012 and sentenced to a minimum prison term of five (5) years and seven (7) months.
13. ROUSE was asked if the firearm or contents in the Crown Royal bag belonged to her and she stated that neither item belonged to her.
14. A check of the firearm using the serial number 53986 revealed that the firearm, a silver colored metal Rossi .38 special revolver with wood on the grip was reported stolen from the jurisdiction of Tuscaloosa, Alabama.
15. The firearm was loaded with two PMC brand, .38 caliber bullets.
16. On or about June 18, 2018, the affiant spoke with Special Agent John Griffin of the Bureau of Alcohol, Tobacco, Firearms, and Explosives who opined that the weapon is a firearm as defined in Title 18 United States Code Section 921(a)(3) and was not manufactured in the state of North Carolina. Therefore, Griffin opined that the firearm must have traveled in, and thereby affected interstate commerce if it was received or possessed in North Carolina.
17. On or about June 18, 2018, Griffin also opined that the two rounds of PMC brand .38 caliber ammunition found inside the weapon also had an effect on interstate commerce and were not manufactured in North Carolina.

18. Based on the information obtained during the course of the investigation as presented above, your affiant believes probable cause exists that TOBIAS DEMAR MAYO did while being a convicted felon, knowingly possess a firearm and ammunition in violation of 18 USC § 922(g)(1) and 18 USC § 924 (a)(2).



M.T. McKnight
Task Force Officer
Federal Bureau of Investigation
Greenville, North Carolina

Subscribed and sworn to before me this 19th day of June 2018.



Kimberly A. Swank
United States Magistrate Judge